

R E M A R K S

Claim 1, the sole independent claim in this Application, has been amended to further define the invention and thereby expedite prosecution of the Application. More specifically, Claim 1 has been amended to further define the amalgam retainer as being formed from ceramic felt. Support for this amending is found throughout the Specification, in particular, original Claim 2 (now canceled).

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,828,169 which issued to Myojo.

The Examiner is of the opinion that Myojo discloses an arc discharge lamp with an arc chamber, an amalgam tip attached to and communicating with the arc chamber via a narrow tube through a constricted area; an amalgam retainer of ceramic paper in the arc chamber abutted against the constricted area. According to the Examiner, the amalgam retainer is vibration-insensitive, solid and liquid amalgam impervious and mercury vapor pervious and that an amalgam is contained within the tip.

Myojo relates to a low pressure mercury vapor filled discharge lamp comprising a barrier means for restricting movement of mercury atoms between the amalgam and the discharge space corresponding to switching on and off of the lamp. In FIG. 2B, the barrier means includes a container 2 having only one opening 3 formed at an end of the container along the lengthwise direction. A porous filter 22a comprising an aggregate of particles selected from the group consisting of zeolite, porous glass and oxide particles is provided in the opening of the container.

Applicant respectfully submits that Myojo cited by the Examiner as anticipating the invention, does not contain all of the material elements recited in Applicant's present claims. Applicant submits that Myojo fails to disclose, for example, an amalgam retainer of ceramic felt as recited in present Claim 1. In view of the above, Applicant submits that present Claim 1 is deemed patentable since the Myojo does not satisfy the essential requirement for a proper rejection under 35 U.S.C. § 102(b). Allowance of independent Claim 1 is respectfully urged.

Claims 2-7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Myojo et al in view of U.S. Patent No. 5,075,160, which issued to Stinton et al.

The Examiner states that Myojo et al fails to clearly point out a retainer comprising ceramic felt. Stinton is cited by the Examiner as disclosing the use of ceramic felt which can be made of aluminosilicate fibers wherein the diameter of the fibers is 4-8 microns (<10 microns) in order to prevent particulate matter from damaging the device and thus increase its lifetime. The Examiner concludes that it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the ceramic felt of Stinton in place of the ceramic retainer of Myojo for the purpose of preventing particulate matter from damaging the device and thus increase its lifetime.

The above rejection is respectfully traversed and reconsideration thereof is requested. Applicant respectfully submits that there is no teaching, suggestion, or motivation for modifying the cited references in the manner proposed by the Examiner.

With particular attention to column 1, lines 9-32, Stinton teach the use of a fiber-reinforced ceramic filter with technologies which will utilize coal as a way of improving the efficiency of fossil fuel systems. Typical of these technologies are combined-cycle coal gasification, combined-cycle pressurized fluidized bed combustion, direct coal-fired gas turbines, and coal gasification molten carbonate fuel cell systems. Stinton is concerned with the removal of sulfur, alkali metals, NO_x and solid particulates from the gas stream in order to protect metallic components of a turbine system from corrosion and erosion. Clearly, Stinton fails to teach or remotely suggest the use of ceramic felt in an arc chamber of a discharge lamp (original Claim 2) abutted against a constricted area in order to contain solid and molten amalgam under vibration conditions while allowing the flow of mercury vapor.

Applicant respectfully submits that under 35 U.S.C. § 103, teachings of references can be combined only if there is some suggestion or incentive to do so. There is no teaching, suggestion, or motivation for modifying the cited references by using Stinton's coal-technology filter in Myojo's fluorescent lamp as proposed by the Examiner. As stated above, Stinton is concerned with the removal of sulfur, alkali metals, NO_x and solid particulates from the gas stream in order to protect metallic components of a turbine

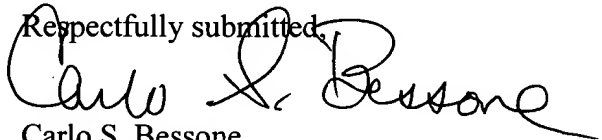
system from corrosion and erosion. Clearly, one skilled in the art attempting to prevent amalgam from settling within the arc environment of a discharge lamp would not have been motivated by Stinton to use his coal-technology filter as a substitute for Myojo's barrier means in a discharge lamp environment.

It is respectfully submitted that the only way the Examiner could have arrived at his conclusion is through hindsight analysis by reading into the art the teachings of the Applicant. Hindsight analysis is clearly improper, since the statutory test is whether "the subject matter as a whole would have been obvious at the time the invention was made."

Absent such teaching or suggestion, the invention is deemed fully patentable over the above references. Claims 3-7 are dependent on independent Claims 1, and thus depend from subject matter deemed patentable. Therefore, Claims 3-7 are likewise deemed allowable.

The Application with Claims 1 and 3-7 is deemed in condition for allowance and such action is respectfully urged. Should the Examiner believe that minor differences exist which, if overcome, would pass the Application to allowance and that said differences can be discussed in a phone conversation, the Examiner is respectfully requested to phone the undersigned at the number provided below.

Respectfully submitted,



Carlo S. Bessone
Reg. No. 30,547

OSRAM SYLVANIA INC.
100 Endicott Street
Danvers, MA 01923
(978) 750-2076